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Honorable Thomas M. Coffin

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

MATTHEW CORSON-FINNERTY,

Plaintiff,

vs.

GC SERVICES, LP,

Defendant.

Case No.: 6:12-CV-01661-TC

ANSWER AND AFFIRMATIVE DEFENSES  
OF DEFENDANT GC SERVICES, LP

COMES NOW Defendant GC Services, LP ("GC"), without waiving any objections, rights, and defenses relating to jurisdiction and process, hereby answers Plaintiff's complaint as follows:

I. ANSWER

1.1 GC admits this is an Action for damages, and GC denies liability to Plaintiff, and therefore denies the remaining allegations contained in Paragraph 1 of Plaintiff's Complaint.

1.2 GC admits this court has jurisdiction over claims under the FDCPA, but denies violating the FDCPA, or any other liability to Plaintiff, and, therefore, denies the allegations contained in Paragraph 2 of Plaintiff's Complaint.

1.3 GC admits that Plaintiff is a natural person, and lacks sufficient information to determine the truth or falsity of the allegations of Paragraph 3, and therefore denies the remaining

allegations contained in Paragraph 3 of Plaintiff's Complaint.

1.4 GC denies it is a corporation, and admits the remaining allegations contained in Paragraph 4 of Plaintiff's Complaint.

1.5 GC admits the allegations contained in paragraph 5 of Plaintiff's Complaint.

1.6 GC admits the allegations contained in paragraph 6 of Plaintiff's Complaint.

1.7 GC admits the allegations contained in paragraph 7 of Plaintiff's Complaint.

1.8 GC denies the allegations contained in paragraph 8 of Plaintiff's Complaint.

1.9 GC denies the allegations contained in paragraph 9 of Plaintiff's Complaint.

1.10 GC denies the allegations contained in paragraph 10 of Plaintiff's Complaint.

1.11 GC denies the allegations contained in paragraph 11 of Plaintiff's Complaint.

1.12 GC denies the allegations contained in paragraph 12 of Plaintiff's Complaint.

1.13 GC denies the allegations contained in paragraph 13 of Plaintiff's Complaint.

1.14 GC denies the allegations contained in paragraph 14 of Plaintiff's Complaint.

1.15 GC admits and denies Paragraph 15 of Plaintiff's Complaint as set forth in Paragraphs 1.1 through 1.14 of this Answer.

1.16 GC denies the allegations contained in paragraph 16 of Plaintiff's Complaint.

1.17 Except as so admitted, GC denies each and every allegation in Plaintiff's Complaint.

## II. AFFIRMATIVE DEFENSES

Having answered Plaintiff's complaint, GC alleges the following affirmative defenses.

2.1 **Failure to State Claims.**

2.2 **Lack of Subject Matter Jurisdiction.**

2.3 **Failure to Mitigate.** Plaintiff failed to mitigate any damages which she may have suffered.

2.4 **Bonafide Error.** Any violation of law, which is specifically denied, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

2.5     **Good Faith Reliance.** At all pertinent times, GC acted in good faith reliance on the information provided by the creditor or original creditor of the account.

2.6     **Good Faith.** GC acted in good faith at all times.

2.7     **No False Statements.** GC did not make any false or misleading representation to Plaintiff or anyone else.

2.8     **Reliance.** Plaintiff did not justifiably rely upon any alleged false or misleading representation.

2.9     **Reasonable and Lawful.** All amounts attempted to be collected by GC are reasonable and lawful pursuant to the common law and/or statutory law of Oregon.

### III. PRAYER

Wherefore having fully answered Plaintiff's complaint, having interposed affirmative defenses, GC prays for the following relief:

3.1     Dismissal of the Action with prejudice, and with costs and attorney fees to GC.

3.2     For such other and further relief as may be provided by law.

Dated October 9, 2012.

DAVENPORT & HASSON, LLP

s/ Jeffrey I. Hasson

Jeffrey I. Hasson, OSB No. 872419  
Attorney for GC

Certificate of Service

I hereby certify that on October 9, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Joshua Trigsted and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: \_.

s/ Jeffrey I. Hasson  
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